

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

BORIS FUENTES, *et al.*,
for himself and for others similarly
situated,

Plaintiffs,

v.

THE ENVIRONMENTAL GROUP, INC., *et
al.*,

Defendants.

Civil Action No. 8:13-3093-JFM

**PLAINTIFFS' MOTION FOR CONDITIONAL CERTIFICATION OF AN FLSA
COLLECTIVE ACTION AND FOR IDENTIFICATION AND NOTIFICATION OF
POTENTIAL CLASS MEMBERS**

Plaintiffs, by and through undersigned counsel respectfully move this Court for an order providing for the following:

- A. Conditional certification of a proposed class of all employee who worked at The Environmental Group at any time in the three years preceding the Court's order removing asbestos or other hazardous substances.
- B. That Defendants provide Plaintiffs with the names and last known addresses and phone numbers of all potential class members within ten days.
- C. That the proposed form of notice to the class is approved and may be translated into Spanish.

- D. That the notice shall be mailed to potential class members as soon as practicable, and, in any event, within seven days of its translation into Spanish (and a copy may also be posted on the internet) and that the date of such mailing shall be reported to Defendants.
- E. That Defendants shall post the approved notice in English and in Spanish in conspicuous places in every establishment where TEG employees are employed so as to permit them to observe readily a copy of the notice.
- F. That, to be valid, a form requesting to join this lawsuit must be received by Plaintiffs' counsel within sixty days of the date of the initial mailing of notices to the class; such forms will be promptly filed with the Court by Plaintiffs' counsel.
- G. That current Plaintiffs' counsel shall represent all persons who opt to join the proposed class except for any person who chooses to be represented by separate counsel.

Plaintiffs' argument in support of this motion is set out in the accompanying Memorandum of Law.

Dated: March 12, 2014

Respectfully submitted,

/s/Matthew B. Kaplan
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the date indicated below, the foregoing document (including any attachments) was filed via the Court's ECF system, which will transmit it to all Parties in this matter.

/s/Matthew B. Kaplan

Date: March 12, 2014